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BY THE KING.

A PROCLAMATION FORBIDDING ALL LEvies of Forces without His Majesties Expresse pleasure, signified under His Great Seale, and all Contributions or Assistance to any such LEVIES.

BIBLIOTHECA COLLEGII SS. TRIN. JUXTA DUBLIN.

WHEREAS, under pretence that We intend to make War against the Parliament (the contrary whereof is notoriously known to all that are here, and as We hope by this time apparent to all other Our Subjects, as well by Our Declaration of the sixteenth of June, as by the Testimony of

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all Our Nobility and Counſell, who are here upon the place) And by colour of the Authority of both Houſes of Parliament (a major part whereof are now abſent from *London*) by the contrivance of ſome few evill perſons, diſguiſing and colouring their pernicious Deſignes and Hoſtile Preparations, under the plauſible names of, *The preſervation of publike Peace, and defence of Us, and both Houſes of Parliament, from Force and violence:* It hath been endeavoured to raiſe Troops of Horſe and other Forces.

And for that purpoſe they have prevailed, not onely to prohibit Our own Moneys to be paid to Us, or to Our uſe, but, by the Name and Authority of Parliament, to excite Our Subjects to contribute their Aſſiſtance to them, by bringing in Moneys, Plate, or under writing to furniſh and maintain Horſes, Horſmen, and Arms; And to that purpoſe certain Propoſitions or Orders (as they are ſtiled by them) have been printed, whereby they have endeavoured to engage the Power and Authority of Parliament (as if the two Houſes, without Us, had that Power and Authority) to ſave harmeleſſe all thoſe that ſhall ſo contribute, from all Prejudice

judice and Inconvenience that may befall them by occaſion thereof.

And although We well hope that theſe Malignant perſons (whoſe Actions do now ſufficiently declare their former Intentions) will be able to prevail with few of Our good people, to contribute their Power or Aſſiſtance unto them; Yet, leaſt any of Our Subjects (taking upon truſt what thoſe Men affirm) without weighing the grounds of it, or the danger to Us, themſelves, and the Common-wealth, which would enſue thereupon, ſhould indeed beleeve (what theſe perſons would inſinuate, and have them to beleeve) That ſuch their Contribution and Aſſiſtance would tend to the preſervation of the publike Peace, and the Defence of Us and both Houſes of Parliament, and that thereby they ſhould not incur any danger.

We, that We might not be wanting (as much as in Us lieth) to foreſhew and to prevent the danger which may fall thereupon, Have hereby thought good to declare and publiſh unto all Our loving Subjects, That by the Laws of the Land, the power of raiſing of Forces or Arms, or levying of War for the defence of the

kingdom, or otherwiſe, hath alwaies belong
to Us, and to Us onely, and that by no Pow
of either, or both Houſes of Parliament, or
therwiſe contrary to Our perſonall Co
mands, any Forces can be raiſed, or any War
vied.

And therefore, by the Statute of the ſeven
yeer of Our famous Progenitor, King *Edwa*
the firſt, whereas there had been then ſom
variances betwixt him and ſome great Lords o
the Realm, and, upon Treaty thereupon, it w
agreed, that in the next Parliament after, pro
ſion ſhould be made, That in all Parliamen
and all other Aſſemblies which ſhould be
the kingdom for ever, that every man ſhou
come without Force and Armour, well a
peaceably: Yet at the next Parliament wh
they met together to take advice of this Bu
neſſe (though it concerned the Parliament
ſelf) the Lords and Commons would not tak
it upon them, but anſwered, That it belonge
to the King to defend force of Armour, and a
other force againſt the Peace at all times whe
it pleaſed Him, and to puniſh them whic
ſhould do contrary, according to the Laws
Uſages of the Realm, and that they were boun

to aid Him, as their Soveraign Lord, at all seasons when need should be. And accordingly in *Parliament*, in after times, The King alone did issue His Proclamations, prohibiting bearing of Armes by any person, in, or neer the Citie where the Parliament was, excepting such of the Kings Seruants as Hee should depute, or should be deputed by his Commandment, and also excepting the Kings Ministers. And by the Statute of *Northampton*, made in the second yeer of King *Edward* the third, It is enacted, That no man, of what condition soever he be (except the Kings Servants, in His presence, and His Ministers in executing the Kings Precepts, or of their Office, and such as be in their company assisting them) go, nor ride armed by night or day in Fairs, Markets, nor in the presence of the Justices, or other Ministers, nor in no part elsewhere.

And this power of raising Forces to be solely in the King, is so known and inseparable a right to the Crown, That when, in the reign of King *Henry* the eight, there being a sudden Rebellion, the Earle of *Shrewsbury*, without Warrant from the King, did raise Arms for the suppression thereof, and happily suppressed it, yet

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was he forced to obtain his Pardon. And whereas the Duke of *Glouceſter*, and other great Lords, in the eleventh yeer of *King Richard* the ſecond (upon pretence of the good of the *King* and *Kingdom*, the *King* being then not of age, and led away, as they alleadged, by evill Counſellors) did raiſe Forces, & by them maſtered their Adverſaries. In that Parliament (ſuch as it was, for it was held and kept with force, how good uſe ſoever hath been made of the Preſidents therein) they procured a ſpeciall Act of Pardon for their raiſing of Men, And that thoſe Aſſemblies ſhould not be drawn into example for the time to come.

And as no Man can levy War, or raiſe Forces without the *King*, ſo much leſſe againſt the perſonall Commands of the *King* oppoſed thereunto: For, by the Statute of the 25. yeer of *King Edward* the third (which is but declaratory of the old Law in that point) it is Treaſon to levy War againſt the *King* in His Realm; Within the conſtruction of which Statute, it is true (which was ſaid in the late Declaration, under the name of both Houſes of Parliament, of the 26. of *May* laſt) levying War (in ſome ſenſe) againſt the *Kings* Authority (though not

not intended againſt His Perſon) is levying War againſt the King: And therefore the raiſing of Forces, though upon pretence of removing of ſome evill Counſellors from about the Queen, hath been adjudged Treaſon, in the Caſe of the late Earle of *Eſſex*, in the Reign of Queen *Elizabeth*, and in divers other Caſes. (And We wiſh all Our Subjects to conſider, Whether, if Men ſhall be raiſed contrary to Our Proclamation, and againſt Our Will, it be not againſt Our Authority.) But it is as true (and was never denied, but in that Declaration) That the raiſing of Forces againſt the Kings perſonall Command (being no Ideot, nor Infant, uncapable of underſtanding to Command) being accompanied with His preſence, is, and is moſt properly levying of War againſt the King; For if it be a ſufficient pretence for raiſing of Men againſt the Kings perſon, that it is for the defence of the *K*ings Authority, and of his *K*ingdom (though againſt his expreſſe Command and Proclamation) the Iriſh Rebels will have colour for their horrid Rebellion; For they ſay (though it be notoriouſly falſe) It is for the defence of the *K*ings Authority, and of His kingdom. And *Wat Tyler*, and *Jack*

Cade, and *Kett* the Tanner, wanted not pub
like Pretences, which were perhaps juſt cauſe
of Complaints, though not of raiſing of Men

And though theſe perſons have gone abou
ſubtilly to diſtinguiſh betwixt Our Perſon and
Our Authority, as if, Becauſe Our Authority
may be where Our Perſon is not, that therefore
Our Perſon may be where Our Authority is
not; We require all Our good Subjects to take
notice of the Law (which is in Print and full
Force) * That their Allegiance is due unto the
naturall Perſon of their Prince, and not to His
Crowne or Kingdom diſtinct from His natu-
rall Capacitie. And that by the Oath of Lige-
ance at the Common-Law (which all per-
ſons above the age of twelve yeeres are, or
ought to be ſworn unto) they are bound to
be true and faithfull, not to the King onely as
King, but to Our Perſon as King CHARLES,
and to bear Us truth and faith of Life and
Member, and earthly Honour; and that they
ſhall neither know nor hear of any ill or da-
mage intended to Us that they ſhall not defend.
And that when, in the time of K. EDWARD the
ſecond, *Hugh Spencer*, being diſcontented with
the King, cauſed a Bill to be written, wherein

was

* Cook 7. Repor. Calvins Caſe.

was contained amongſt other things, That Homage and the Oath of Allegiance was more by reaſon of the *Kings* Crown (that is, His *Kingdom*) then of His Perſon; and that ſeeing the King cannot be reformed by ſuite of Law, if the *King* will not redreſſe and put away that which is ill for the Common People, and hurtfull to the Crown, That the thing ought to be put away by force, And that His Lieges be bound to Govern in aid of Him, and in default of Him; he was condemned for it by two Parliaments, and perpetually baniſhed the *Kingdom*.

We have made mention of theſe Caſes, not ſo much to clear Our Right, That We alone have the power of raiſing Forces, and none of Our Subjects, either in Parliament or out of Parliament againſt Our Will, or perſonall Command (which We think no man that hath the leaſt knowledge in Our Laws, and is not lead away by private Intereſts, and may ſpeak his minde freely, will deny, nor was ever queſtioned in any Parliament before this time) as to let them ſee how dangerous the effect and conſequence of raiſing of Forces, without Us, may be unto Us, and to the Common-wealth,

under pretence of Defence of both.

And though We cannot doubt of the Affections of Our good Subjects, conſidering their Intereſt is involved with Ours, and how precious the peace of the Kingdom is, and ought to be unto them; and that according to the words of the Statute of the eleventh yeer of King *Henry* the ſeventh, and the eighteenth Chapter, By the duty of their Allegiance they are bounden to ſerve and aſſiſt Us at all ſeaſons when need ſhall require.

Yet, to the end that Our good Subjects may know what their duty is, and what We expect from them, and that all others, who, through Malice or private Intereſts, ſhall be tranſported beyond their duties, may be left without excuſe; We do therefore by this Our Proclamation, charge and command all Our Subjects upon their Allegiance, and as they tender Our Honour and Safety, and the Peace and Safety of the Kingdom, that they preſume not to raiſe or levie any Horſes, Horſmen, or Arms, or any Forces whatſoever by colour of any Authority whatſoever, without Our expreſſe pleaſure ſignified under Our great Seal, other then ſuch as ſhall be raiſed, levied, and impreſted by

by the Order, as well of Our Selfe, as of both Houſes of Parliament, according to an Act made this Seſſions, intituled, *An Act for the better raiſing and levying of Souldiers for the preſent defence of the Kingdoms of* ENGLAND *and* IRELAND (by Juſtices of Peace, and otherwiſe, in ſuch manner as is preſcribed in the ſaid Act) or Contribute, or give any Aſsiſtance in Money, Plate, finding of Horſes, Horſmen, or Arms, or any other wayes, to or for any ſuch Preparation, Levie, or Forces: And that ſuch of Our good Subjects, who through Ignorance have been miſled to conſent or ſubſcribe to any ſuch Levie, Contribution, or Aſsiſtance, forthwith, upon publication of this Our Proclamation, deſiſt from continuing ſuch their Contribution or Aſsiſtance, or giving any Countenance to any ſuch Levies, at their utmoſt perils.

And We do likewiſe ſtraitly charge and command as well all Our Sheriffs, Juſtices of Peace, Majors, Bailiffs, Conſtables, and all other Our Officers whatſoever, That they uſe their utmoſt endeavours, as well for publiſhing this Our Proclamation, as for the ſuppreſsing of all Levies, or Forces raiſed, or to be raiſed, without or againſt Our conſent: As alſo all other Our

loving Subjects, That they be Attending, Aiding, and Aſsiſting Our ſaid Officers and Miniſters therein, as they, and every of them will anſwer it at their utmoſt perills.

Given at Our Court at YORK *the eighteenth day of* June, *in the eighteenth yeer of Our Reign.* 1642.

¶ Imprinted at YORK by ROBERT BARKER, Printer to the Kings moſt Excellent Majeſtie: And by the Aſsignes of JOHN BILL. 1642.

A NEW DECLARATION

of the Lords and Commons in Parliament assembled, in answer to his Majesties Letter to the Lord Major and the Court of Aldermen of the City of London, and concerning his Declaration to the County of Yorke at Heyworth Moore by His last speciall Summonds, *Luna* 20. day of *Junæ*, 1642.

Ordered by the Lords in Parliament that this Declaration be forthwith Printed and published, Joh: Brown Cler. Parl.

With a Letter from the Lord *Paget*, Lord Lievtenant of the County of *Buckingham*, to the Earle of *Holland*, shewing the readinesse of that County to obey the Ordinance of Parliament touching the *Militia*

And the examination of the Lord Magwire, *Colonell* Read, *Cousin-germane to* Tyrone, *Capt.* Mac Mallion, *Brother-in-Law to* Philomy O-neale, *the Relation being truly taken from their owne mouths word for word as followeth, before a Commitee of both Houses in the Court of Wards on* Munday *the* 21. *of* June, 1642.

London Printed for *W. Gay.* 1642.

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